The Syrian Arab Republic - Thematic Report The Situation of Christian and Kurdish Minorities in Syria 2011–2023

Note

The current Thematic Report has been compiled by JRS Romania and edited by Terre des Hommes Foundation. All sources used are references sources collected from international reports, press articles and specific war crimes investigations reports.

The purpose of this report is to provide general information with regards to The Situation of Christian and Kurdish Minorities, covering the period from 2011 to date. The information compiled in this report can be used by all practitioners within the asylum procedure in Romania. However, this report does not analyze the merits of granting a form of protection in Romania.

All information presented within the current report has been carefully analyzed and verified. This report does not claim to be an exhaustive one; therefore, if a significant event or situation has not been presented in the current work, this does not mean that the event or situation did not happen.

The main outcome of the report is to organize large amounts of information in a focused, clear, well-sourced and fact-based report in order to support the rendering of asylum decisions.

The information presented in the current report do not necessarily reflect the official position of Jesuit Refugee Service Romania or of its project implementing partner, Terre des Hommes Romania



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1 Introduction

Since 2011, when the Syrian uprising transformed into a full-scale armed conflict, its impact has been deeply felt by every Syrian, regardless of their background—whether it's their political beliefs, social status, ethnicity, religion, gender, or age.

After more than a decade of conflict, Syria faces the world's largest refugee crisis. Over 14 million Syrians have been forced to flee their homes in search of safety. Of these, more than 6.8 million remain displaced within Syria, while around 5.5 million have sought refuge in neighboring countries such as Turkey, Lebanon, Jordan, Iraq, and Egypt. Germany is the largest host country outside this immediate region, hosting over 850,000 Syrian refugees.¹

It is crucial to understand that minority communities face even more significant challenges during armed conflicts, often jeopardizing their very existence within the nation. This report specifically examines two minority groups in Syrian society: Christians, a religious minority, and Kurds, an ethnic minority. Our main objective is to shed light on the obstacles they encounter while striving for lives marked by freedom and safety in Syria.

We will investigate the challenges faced by the Christian community, including threats to their lives, persecution, and the destruction of their places of worship by extremist groups. Additionally, we will assess the government's role and its impact on their situation.

Simultaneously, we will delve into the difficulties encountered by the Kurdish population, who grapple with existential threats from extremist groups and an ongoing struggle to protect their identity and regain rights that deteriorated by successive government policies.

As we explore these issues in-depth, it's important to remember that the experiences of Kurds and Christians in Syria are integral parts of the broader Syrian narrative.

Through documenting these experiences, this report does not claim to be exhaustive, but aims to significantly enhance understanding of the challenges faced by these two marginalized minority groups. It is based on the most recent data available, including reports published in 2022 and the first quarter of 2023, with historical context provided when necessary to offer insights into the underlying reasons and causes contributing to the current situation.

¹ USA for UNHCR, Syria Refugee Crises Explained, 14 March 2023, <u>https://www.unrefugees.org/news/syria-refugee-crisis-explained/</u>



2 Facts and Statistics

2.1 Geography and Population

Syria is a country located in the Middle East, bordered by Turkey to the north, Iraq to the east, Jordan to the south, Palestine and Lebanon to the southwest, and the Mediterranean Sea to the west. According to the United Nations the estimated population of Syria is around 21,324,000 million people.²

2.2 Ethnic and Religious Composition

2.2.1 Language and Ethnicity

Arabic is the official language of Syria,³ and the majority of the population identifies as Arab. Additionally, there are Kurdish, Armenian, Turkmen, and other ethnic minorities residing in different parts of the country.

2.2.2 Religion

There is no official state religion, although the constitution states "Islam is the religion of the President of the republic." It also states that "Islamic jurisprudence shall be a major source of legislation."⁴

Islam is the predominant religion in Syria, with Sunni Muslims forming the majority. Other significant religious communities include Alawites, Christians, Druze, and Shia Muslims. Religious diversity has historically been a characteristic of the Syrian society.

2.2.3 Ethnic Composition and Distribution

Syria has a diverse ethnic structure comprising of Armenians, Assyrians, Arabs, Kurds and Turkoman.



² United Nations, Department of Economic and Social Affairs, Population Division 2022, <u>url</u>

³ Constitution of the Syrian Arab Republic, Article 4, 2012, 2012 يستور الجمهورية العربية السورية (moia.gov.sy)

⁴ Constitution of the Syrian Arab Republic, Article 3, 2012, 2012, العربية الع



According to the most recent data, the ethnic distribution can be categorized into the main ethnic groups as shown in the figure below.

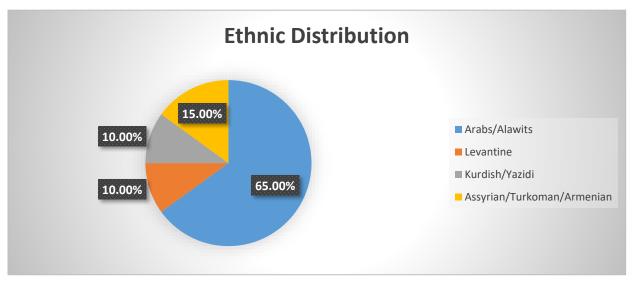


Figure 1: Ethnic Distribution in Syria, Source CIA World Factbook

Since we will be focusing in this report on the Kurds, it is important to provide some historical context about this ethnicity, The Kurdish presence in Syria dates back over a millennium, even before the Crusades. The Kurdish Mountains, located on the Syrian-Turkish border, have been inhabited by Kurds for centuries. During the Ayyubid Dynasty (1171-1341), Kurdish regiments under the leadership of Saladin established self-ruled areas in Damascus that continue to exist today.

Under Ottoman rule, Kurdish groups, primarily Jurmanji speakers, were deported from Anatolia to northern Syria. This historical migration is a significant reason for the Kurdish dominance in modern-day northern Syria.

In the 1920s, additional Kurds from Turkey migrated to northern Syria following two failed rebellions. Despite gaining independence as a country, Syria's Kurdish population faced discrimination and harassment from the government, leading to sporadic protests and riots.

It is important to notice that the ongoing civil war in Syria has led to significant changes in its ethnic landscape. Displacement and migration have shifted population concentrations in various regions. Examples of these changes include Kurds residing mainly in AANES-controlled areas, Arabs opposing the Syrian government concentrating in Idlib or relocating to Turkey, Armenians



leaving areas outside government control for Armenia, and Assyrians departing regions under ISIS influence, leading to internal displacement or emigration.

2.2.4 Religious Distribution

Syria has a diverse religious structure comprising of Sunni Muslims, Alawite, Shia, Ismaili, Druze and Christians.

According to the most recent data, the religious distribution can be categorized into the main religious groups as shown in the figure below.

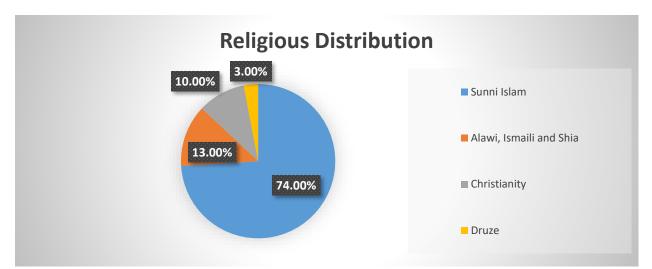


Figure 1: Religious Distribution in Syria, Source CIA World Factbook

Syria's religious landscape has been significantly reshaped by the ongoing civil war. This conflict has brought about changes in the distribution of religious communities, primarily due to displacement and migration. These shifts in religious demographics can be illustrated through several examples:

Christian Population: Christians who originally resided in major cities like Homs, Aleppo, and Damascus have experienced internal displacement. Some have relocated to rural areas like villages with Christian majority and remained there, while others have chosen to leave the country altogether.

Alawite Community: Alawites, who were predominantly situated in rural areas and coastal cities, have migrated to major cities as a response to the conflict and to counter opposition forces.

Sunni Muslims: Sunni Muslims who were perceived as opposing the government have moved from areas under government control to regions mainly inhabited by opposition groups. For instance, many have relocated from Homs to Idlib.



2.3 Current Political Context

2.3.1 Political System

When Hafez al-Assad assumed the presidency in 1971, Syria's political landscape lacked democracy. The ruling Ba'ath Party did not allow any opposition and declared itself the sole authority in the country, as stated in Article 8 of the 1973 constitution: "The Baath Party is the leading party in society and the state."⁵

After Hafez al-Assad passed away in 2000, his son, Bashar al-Assad, took over the presidency. Shortly after his father's death, a constitutional change was approved, lowering the minimum age for the presidency from 40 to 34 to accommodate Bashar's age at the time. On June 18, Bashar was appointed as the secretary-general of the ruling Ba'ath Party, and just two days later, the party nominated him as its presidential candidate.

This succession raised doubts among many Syrians about the country's democratic nature. The fact that leadership passed from father to son cast a shadow on the regime's legitimacy and played a significant role in sparking the Syrian uprising. Many Syrians couldn't find credibility in a presidential transition that had involved altering age requirements to fit Bashar al-Assad's candidacy.

The 2012 constitution attempted to emphasize democracy and political party pluralism by amending Article 8 of the 1973 constitution, the new version still states that "Licensed political parties and electoral groupings contribute to national political life and must respect the principles of national sovereignty and democracy" ⁶ and that "The political system of the state is based on the principle of political pluralism, and power is exercised democratically through suffrage."⁷

Presidential elections took place on May 26, 2021. Out of 51 potential candidates, only President Assad and two others were registered to run: a former cabinet minister and the leader of an opposition party that was 'tolerated' by the government. These two alternative candidates received 1.5% and 3.3% of the valid votes, respectively, while the incumbent president secured more than



⁵The Syrian Constitution Article 8, 1973, <u>دستور سوريا 1973 - ويكي مصدر (wikisource.org)</u> ⁶The Syrian Constitution, Article 8, 2012, <u>2012</u> دستور الجمهورية العربية السورية (moia.gov.sy)

⁷The Syrian Constitution, Article 8, 2012, مهورية العربية السورية 2012 moia.gov.sy)

95% of the votes. ⁸ It's important to note that these elections were not monitored by the United Nations. 9

2.4 The Syrian Civil War

2.4.1 The Spark in Deraa

In 2011, the Syrian civil war began with a pivotal event in Deraa, Syria. Fifteen boys spray-painted "The people want the fall of the regime" on a school wall, triggering a chain of events that would reshape the nation's destiny. Their arrest and subsequent torture became the catalyst for widespread protests as outraged demonstrators rallied behind them. At this stage, many protesters were not initially demanding regime change but rather sought the release of political prisoners, an end to the decades-old state of emergency, increased civil liberties, and an eradication of corruption.¹⁰

2.4.2 The Regime's Response and Escalation

President Assad's response to the protests was marked by token reforms and a heavy-handed crackdown by security services.¹¹ The anti-regime demonstrations quickly spread from Deraa to major cities, including Damascus, Hama, and Homs. The scenes in Deraa foreshadowed what would unfold in other parts of Syria as the Syrian army resorted to firing on unarmed protesters, mass arrests, and indiscriminate detention, as documented by Human Rights Watch.¹² Reports of torture and extrajudicial executions within detention centers became disturbingly common.

In late April 2011, the Syrian army escalated its response by deploying tanks, laying siege to Deraa. The civilian death toll mounted, and residents endured an eleven-day ordeal with severed access to essential supplies, services, and communication. Despite international condemnation and

⁹ UN Human Rights Council, Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, A/HRC/48/70, 13 August 2021, <u>https://digitallibrary.un.org/nanna/record/3939937/files/A_HRC_48_70-EN.pdf</u>?withWatermark=0&withMetadata=0&version=1®isterDownload=1



⁸ UK, House of Commons Library, Syria: 2021 presidential election and future prospects, 9 June 2021, <u>https://researchbriefings.files.parliament.uk/documents/CBP-9250/CBP-9250.pdf</u>

¹⁰ Council on Foreign Relations, Syria's Civil War: The Descent into Horror, 14 February 2023, <u>https://www.cfr.org/article/syrias-civil-war</u>

¹¹ The NEW YORKER, THE ASSAD FILES; Capturing the top-secret documents that tie the Syrian regime to mass torture and killings, 18 April 2016, <u>https://www.newyorker.com/magazine/2016/04/18/bashar-al-assads-war-crimes-exposed</u>

¹² Human Rights Watch, "We've Never Seen Such Horror" Crimes against Humanity by Syrian Security Forces, 1 June 2011, <u>https://www.hrw.org/report/2011/06/01/weve-never-seen-such-horror/crimes-against-humanity-syrian-security-forces</u>

modest concessions, the regime replicated the Deraa response in other protest hotspots, driving some regime opponents to take up arms in response.¹³

2.4.3 Exploiting Chaos: The Rise of Extremist Groups

The regime's use of torture and lethal force created a fertile ground for extremist groups. In January 2012, Jabhat al-Nusra, declaring itself as al-Qaeda's Syrian branch, called on Sunni fighters from the region to join a jihad against the regime. The group attracted both Syrian and foreign recruits due to its battlefield successes, surpassing rival opposition groups.¹⁴

2.4.4 The Islamic State and Sectarian Conflict

In April 2013, another extremist group, the Islamic State of Iraq, emerged in Syria, surpassing even Jabhat al-Nusra in brutality. Within months, it seized control of vast territories across eastern Syria and western Iraq, deepening the sectarian conflict and affecting civilians in areas under its control, as well as those in regions held by the Free Syrian Army (FSA) and pro-regime militias.

2.4.5 The Regime's Role in Fostering Extremism

The regime's actions contributed to the growth of extremist groups. In mid-2011, it released hundreds of Islamist militants from prisons ¹⁶, a move aimed at undermining the rebellion. Some of these former prisoners went on to form extremist groups like Ahrar al-Sham, which promoted a sectarian agenda.

2.4.6 Challenges faced by Kurds and Christians

What began as peaceful protests and a civil uprising in Syria quickly escalated into a full-fledged armed civil war. As extremist groups gained prominence and radical ideologies took root, the

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¹³ Council on Foreign Relations, Syria's Civil War: The Descent Into Horror, 14 February 2023, <u>https://www.cfr.org/article/syrias-civil-war</u>

¹⁴ Council on Foreign Relations, Syria's Civil War: The Descent Into Horror, 14 February 2023, <u>https://www.cfr.org/article/syrias-civil-war</u>

¹⁵ Council on Foreign Relations, Syria's Civil War: The Descent Into Horror, 14 February 2023, <u>https://www.cfr.org/article/syrias-civil-war</u>

¹⁶ POLITICO MAGAZINE, The Jihad Next Door: The Syrian roots of Iraq's newest civil war, 23 June 2014, https://www.politico.com/magazine/story/2014/06/al-qaeda-iraq-syria-108214/

conflict evolved further, taking on a deeply sectarian nature. This transformation had profound consequences for the country's minority communities, leaving them in constant fear for their lives and subject to persecution. In the subsequent sections, we will delve into the specific challenges faced by two significant minority groups in Syria: the Kurds and Christians.

2.4.7 External Involvement and Escalation

As the conflict deepened, both pro- and anti-regime forces became increasingly dependent on external sponsors. Major powers, driven by their geopolitical interests, became deeply involved in Syria, transforming the nation into a battleground for regional rivalries.

Facing casualties and desertions, Assad's regime turned to Iran and Russia for support, while opposition forces received backing from countries like Turkey, the United States, France, and the United Kingdom. The involvement of regional actors further complicated the situation, with alliances forming and dissolving, reshaping the conflict's dynamics.

In summary, the Syrian uprising underwent a significant evolution, progressing from a nonviolent civil movement to an armed conflict, then further evolving into a sectarian civil war. Ultimately, it transformed into a proxy war, where regional and international powers engage in conflict by supporting various actors within Syria.





2.5 The actors of the Syrian conflict

The map below (Figure 3) outlines the approximate areas of control and influence in the country as of June 2022.

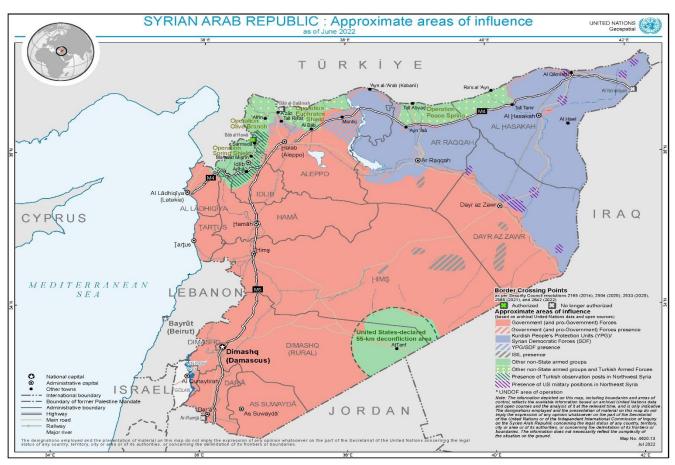


Figure 3. © UN Geospatial, Approximate areas of influence as of June 2022.

2.5.1 The Government of Syria and associated armed groups

All armed personnel under the umbrella of the Syrian government operating in Government controlled areas, they include The Syrian Armed Forces consist of the Syrian Arab Army (SAA),



the Naval Forces, the Air Forces, Air Defense Forces and the National Defense Forces (NDF), Intelligence services, police force, pro-government militias.¹⁷

2.5.2 The Syrian Democratic Forces (SDF)

Are the armed force of the Autonomous Administration of North and East of Syria (AANES). They are militarily and financially supported by the US to fight ISIL in northeast Syria. The SDF is a mixed force, with Arab, Kurds and fighters of other minorities within its ranks.¹⁸

2.5.3 the Kurdish People's Protection Units (YPG)

which leads the SDF, only features Kurdish fighters from Syria, Iraq, Türkiye and Iran, and is linked to the PKK, The SDF and YPG held sway in Raqqa, Hasaka, and parts of Aleppo governorates, plus northeastern Deir Ez-Zor. Areas around Manbij, Ain Al-Arab (Kobane), Tal Rifaat, and strips along the Turkish border were jointly controlled by the GoS, their allies, and Kurdish forces.¹⁹

2.5.4 The Asayish

Are the Kurdish internal security forces and fulfil various security roles that range from police to counterterrorism. The Asayish reportedly have command centres in each canton of the Kurdish-controlled region, some of which operate independently from each other. There are also 30 000 police officers operating in Kurdish-controlled areas in northeast Syria.²⁰

2.5.5 The Syrian National Army (SNA)

Turkish-backed armed umbrella group, and the second largest opposition coalition in Syria after HTS. In 2019, the SNA incorporated the National Liberation Front (NLF), also a Turkish-backed alliance of opposition-armed groups using the brand of the Free Syrian Army (FSA).²¹



¹⁷ European Union Agency for Asylum, Country Guidance Syria 2023 Actors of persecution or serious harm, last updated February 2023, <u>https://euaa.europa.eu/country-guidance-syria-2023/32-government-syria-and-associated-armed-groups</u>

¹⁸ European Union Agency for Asylum, Country Guidance Syria 2023 Actors of persecution or serious harm, last updated February 2023, <u>https://euaa.europa.eu/country-guidance-syria-2023/33-syrian-democratic-forces-and-</u>asavish

¹⁹ European Union Agency for Asylum, Country Guidance Syria 2023 Actors of persecution or serious harm, last updated February 2023, <u>https://euaa.europa.eu/country-guidance-syria-2023/33-syrian-democratic-forces-and-</u>asayish

²⁰ European Union Agency for Asylum, Country Guidance Syria 2023 Actors of persecution or serious harm, last updated February 2023, <u>https://euaa.europa.eu/country-guidance-syria-2023/33-syrian-democratic-forces-and-</u>asayish

²¹ European Union Agency for Asylum, Country Guidance Syria 2023 Actors of persecution or serious harm, last updated February 2023, <u>https://euaa.europa.eu/country-guidance-syria-2023/34-anti-government-armed-groups</u>

Turkish-backed armed groups operating under the umbrella of the SNA controlled two discontinuous areas along the Syrian Turkish border covering most of northern Aleppo and segments of Raqqa and Hasaka governorates: 'Operation Euphrates Shield' (the area between Azaz, Al-Bab, and Jarablus, Aleppo governorate), 'Operation Olive Branch' (Afrin district, Aleppo governorate) and 'Operation Peace Spring' (the area between Tall Abyad, Raqqa governorate, and Ras al Ain, Hasaka governorate)²²

2.5.6 Hayat Tahrir al-Sham

Coalition of Islamist Sunni anti-government armed groups. It is comprised of several armed factions, including Jabhat Fatah al-Sham (also known as Jabhat al-Nusrah and previously as the (Al-Nusrah Front).

HTS has been listed as terrorist organization, affiliated with Al Qaeda, by the EU and the UN. In the northwest, an area incorporating the northern parts of Idlib governorate, as well as small parts of northern Hama, northern Latakia and western Aleppo governorates (the so called Idlib de-escalation zone) is regarded as the last remaining stronghold of anti-GoS armed groups, with HTS considered the dominant actor and military superior armed group in the area.²³

2.5.7 The Islamic State of Iraq and the Levant (ISIL)

Also known as ISIS, IS and Daesh, was originally created by the wing of Al Qaeda in Iraq and by smaller Iraqi Sunni insurgent groups. It is an UN and EU designated terrorist organization aiming to establish a global Islamic caliphate and fostering violent conflict between Muslims and non-Muslims

ISIL's territorial control and governance in Syria ceased to exist in March 2019. ISIL is, however, actively present mainly in Deir Ez-Zor, with eastern Deir Ez-Zor described as its stronghold. The group is also actively present in Hama and Homs, but also in Damascus, Dara, Hasaka, Raqqa and Sweida governorates. The Idlib de-escalation zone provides a limited safe haven and serves as a strategic location for ISIL²⁴





²² European Union Agency for Asylum, Country Guidance Syria 2023 Actors of persecution or serious harm, last updated February 2023, <u>https://euaa.europa.eu/country-guidance-syria-2023/34-anti-government-armed-groups</u> ²³ European Union Agency for Asylum, Country Guidance Syria 2023 Actors of persecution or serious harm, last updated February 2023, <u>https://euaa.europa.eu/country-guidance-syria-2023/34-anti-government-armed-groups</u> ²⁴ European Union Agency for Asylum, Country Guidance Syria 2023 Actors of persecution or serious harm, last updated February 2023, <u>https://euaa.europa.eu/country-guidance-syria-2023/34-anti-government-armed-groups</u>

3 General Human Rights Situation

3.1 Background

The Syrian conflict closed on its twelfth year in 2023, The conflict in Syria continued although hostilities decreased, while economic and social conditions deteriorated. Parties to the conflict continued to commit with impunity gross human rights abuses, serious violations of international humanitarian law, and crimes under international law, including war crimes. The ongoing conflict and involvement of these groups have resulted in a persistent and concerning security situation in the region.

It's important to note that various parties to the conflict, including not only the Syrian government but also armed opposition groups and extremist organizations like ISIS, have been responsible for serious human rights violations.

3.2 Violence Against Civilians

Throughout the duration of the Syrian civil war, a significant number of civilians fell victim to the conflict. While it is difficult to determine an exact count of civilian casualties, various reports have attempted to provide an approximate figure. According to a press release dated September 24, 2021, from the High Commissioner for Human Rights to the Human Rights Council, it was estimated that 350,209 civilians had lost their lives in the Syrian conflict. This figure serves as a stark reminder of the immense human suffering caused by the war.²⁵

The Syrian Human Rights Committee documented the killing of (1133) people in 2022, Daraa had the highest number of casualties at 281, followed by Aleppo with 233, and Deir ez-Zor with 144. Idlib had 108 casualties, Al-Hasakah 92, and Damascus countryside (Rif Dimashq) 65. The city of Damascus had 48 casualties, Lattakia 38, Hama 28, Homs 22, and Raqqa 17. As-Suwaida had 13 casualties, while Tartous and Quneitra reported no victims. Additionally, 47 Syrians drowned off the Syrian coast in September.²⁶

In regions controlled by the government, Regime-linked paramilitary groups reportedly engaged in frequent abuses, including massacres; indiscriminate killings; kidnapping of civilians; physical

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 ²⁵ Human Rights Council, High Commissioner for Human Rights to the Human Rights Council: 350,209 Civilians Have Been Killed in the Syrian Conflict, 24 September 2021, <u>https://www.ohchr.org/en/press-releases/2021/09/high-commissioner-human-rights-human-rights-council-350209-civilians-have</u>
²⁶ Syrian Human Rights Committee, The 21st annual report on human rights in Syria 2022, <u>https://www.shrc.org/en/wp-content/uploads/2023/01/21st-report_En.pdf</u>

abuse, including sexual violence; and unlawful detentions. Regime-aligned militias reportedly launched numerous attacks that killed and injured civilians.²⁷

The situation is no better in areas controlled by the armed opposition, The US Department of State reported that the security situation remained volatile in areas controlled by armed opposition groups, leading to a persistent environment where multiple human rights abuses occurred. These violations included killings, physical abuse, abductions, unjust detentions, and the recruitment and utilization of child soldiers. Groups like Hayat Tahrir al-Sham²⁸, classified as armed terrorist organizations, were involved in a wide range of abuses, including unlawful killings, kidnappings, unjust detentions, physical violence against civilians, and the recruitment of child soldiers. ISIS was also responsible for unlawful killings, attacks, and kidnappings. Despite these reported abuses, there were no indications of investigations or prosecutions for these actions.²⁹

Elements within the Syrian Democratic Forces³⁰, a coalition comprising Syrian Kurds, Arabs, Turkmen, and other minority groups, including members of the Kurdish People's Protection Units, were also reported to have engaged in abuses. These abuses reportedly involved attacks on residential areas, physical abuse, unlawful detention, recruitment and use of child soldiers, restrictions on freedom of expression and assembly, as well as arbitrary destruction and demolition of homes. The Syrian Democratic Forces conducted investigations into most of the allegations against its forces, and some members have been prosecuted for abuses, though specific statistics on prosecutions were not available.³¹

3.3 Arbitrary Arrests and Detention

In 2011, President Bashar al-Assad issued a legislative decree³² allowing the regime to detain suspects for up to 60 days without charge if suspected of terrorism or related offenses. Local news sources and various human rights organizations report that regime security forces have engaged in arbitrary arrests, subjecting individuals to prolonged or indefinite detention. The risk of being detained, ill-treated, and tortured continues to be a significant concern for many Syrians. Although



²⁷ US Department of State, Annual report on human rights, 20 March 2023, <u>https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/syria/</u>

²⁸ Hay'at Tahrir al-Sham (HTS) (هيئة تحرير الشّام),commonly referred to as Tahrir al-Sham, is a Sunni Islamist political and armed organization involved in the Syrian Civil War

²⁹ US Department of State, Annual report on human rights, 20 March 2023, <u>https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/syria/</u>

³⁰ The Syrian Democratic Forces (SDF) is an alliance of forces formed during the Syrian civil war composed primarily of Kurdish, Arab, and Assyrian/Syriac, as well as some smaller Armenian, Turkmen and Chechen forces ³¹ US Department of State, Annual report on human rights, 20 March 2023, <u>https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/syria/</u>

³² President Bashar al-Assad, Legislative Decree No. 55, 21 April 2011, <u>المجموعة الإلكترونية للتشريعات الصادرة في الجمهورية العربية السورية</u> (pministry.gov.sy)

the law grants the right to challenge the lawfulness of arrest or detention in court, the regime has not adhered to this requirement.³³

Up until the time of this report, the US Department of State and other human rights reports state that Syrian security forces and government-affiliated militias continue to arbitrarily detain, disappear, and mistreat people across the country, including children, people with disabilities, and older people, and returnees and individuals in retaken areas who have signed so-called reconciliation agreements. Authorities also continued to unlawfully confiscate property and restrict access to areas of origin for returning Syrians.³⁴

Human rights organizations reported that those arrested were typically not told why they were arrested. Those informed of the charges rarely had access to evidence supporting the charges. As reported that more than 30 detainees released between mid-2013 and July 2021 confirmed violations and lack of fair trial rights, including by military field and counterterrorism courts. According to NGO reporting, detainees were routinely tortured to extract confessions or compelled to sign declarations they had not been allowed to read. It was also noted that arbitrary actions by the regime's security apparatus, coupled with unfair proceedings by the counterterrorism and field military courts, exposed Syrians to further violations and crimes.³⁵

3.4 Torture and Ill-Treatment

On 30 March 2022, the Syrian government passed a law³⁶ criminalizing torture and assigning a penalty ranging from three years imprisonment up to the death penalty where the torture results in death or involves rape. The law also prohibited any authority from ordering torture and invalidated any evidence gathered through torture. However, according to the Human Rights Council³⁷, torture and ill-treatment in detention remained systematic, including in Sednaya prison and several detention facilities operated by Syrian intelligence.

According to the latest report from the US Department of State Prison facilities are suffering from severe overcrowding, with authorities often housing juveniles, adults, pretrial detainees,



³³ US Department of State, Annual report on human rights, 20 March 2023, <u>https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/syria/</u>

³⁴ Human Rights Watch, Annual report on the human rights situation, 12 January 2023, <u>https://www.hrw.org/world-report/2023/country-chapters/syria</u>

³⁵ US Department of State, Annual report on human rights, 20 March 2023, <u>https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/syria/</u>

³⁶ President Bashar al-Assad, Law No. 16, 28 March 2022, الرئيس الأسد يصدر قانوناً لتجريم التعذيب (parliament.gov.sy)

³⁷ Human Rights Council, Inquiry on the Syrian Arab Republic, 12 September–7 October 2022, <u>Report of the</u> <u>Commission of Inquiry on Syrian Arab Republic to the 51th regular session of the Human Rights Council | OHCHR</u>

and convicted prisoners together in insufficient spaces. The conditions were deplorable, with limited access to necessities such as food, clean water, sanitation, heating, proper ventilation, lighting, and medical care, posing life-threatening risks. Prisoners were confined in cells for prolonged periods without any opportunity for movement, exercise, or access to showers and sanitation. The regime maintained an extensive network of detention centers where human rights violations were rampant. Human rights groups and former detainees reported the existence of numerous informal detention sites, with thousands of prisoners being held in converted military bases, civilian infrastructure like schools and stadiums, and undisclosed locations. Activists alleged that detainees were housed in overcrowded factories and vacant warehouses without adequate sanitary facilities.³⁸

The Syrian Human Rights Committee mentioned in its report that Detainees who have been released confirmed for the first time the presence of salt rooms³⁹ in the Sednaya prison to prevent the decomposition of the corpses of those tortured and killed in the prison. Two previous detainees have narrated that they were detained in two rooms of salt containing the corpses of detainees which caused them to fear that they would meet a similar fate.⁴⁰

As reported by the Syrian Human Rights Committee One of the Syrians who spent 11 years in the regime's prisons and exited them halfway through this year narrated his trials, saying "I was imprisoned in 2011 by the Military Security in Homs, and was transferred to several investigation centers. However, the worst place I faced torture in the Military Security branch in Homs. I saw people who had been detained for five or six years there who had been investigated and left in prison to the point that some wished for death to be rid of the torture."⁴¹ He followed by saying "In the military security branch, the one responsible for torture was nicknamed Abu Al-Alamin, would use a staff with nails in it to hit people on their backs and heads. I saw one person whose head was injured, and his feet were bloody from infections."⁴²

On 27 April 2022, footage of executions by Syrian Military Intelligence of at least 41 individuals in 2013 in the Damascus neighborhood of Tadamon was published by The Guardian.⁴³ The 2013

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³⁸ US Department of State, Annual report on human rights, 20 March 2023, <u>https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/syria/</u>

³⁹ Primitive mortuaries designed to preserve bodies in the absence of refrigerated morgues

⁴⁰ Syrian Human Rights committee, The 21st Annual Report on Human Rights situation in Syria, January 2022-December 2022, <u>https://www.shrc.org/en/wp-content/uploads/2023/01/21st-report_En.pdf</u>

⁴¹ Syrian Human Rights committee, The 21st Annual Report on Human Rights situation in Syria, January 2022-December 2022, <u>https://www.shrc.org/en/wp-content/uploads/2023/01/21st-report_En.pdf</u>

⁴² Syrian Human Rights committee, The 21st Annual Report on Human Rights situation in Syria, January 2022-December 2022, <u>https://www.shrc.org/en/wp-content/uploads/2023/01/21st-report_En.pdf</u>

⁴³ Martin Chulov, Massacre in Tadamon: how two academics hunted down a Syrian war criminal, 27 April 2022, <u>Massacre in</u> <u>Tadamon: how two academics hunted down a Syrian war criminal | Syria | The Guardian</u>

al-Tadamon incident in which an Assad regime official of Branch 227, identified as Amjad Yousef, shot point-blank 41 blindfolded, unarmed civilians who then fell into a mass grave reported the ly in the al-Tadamon neighborhood. The shooting reportedly occurred during a 2013 massacre that killed approximately 300 civilians. On October 28, The Guardian published a follow-up report, claiming that in an unpublished video, it had reviewed, Yousef shot as many as six women across a pit as his counterparts looked on and occasionally took part. The pit was subsequently set afire, and a bulldozer filled it with ash and debris, in what appeared to be an attempt to eliminate evidence of the war crime, according to The Guardian. In May the SNHR reported that the regime arrested Amjad Yousef, who confessed to executing and raping detainees in Tadamon in interviews with researchers who later published video footage of the 2013 massacre. On October 28, however, The Guardian reported that Amjad Yousef was still working on a military base outside Damascus and had been accused by his colleagues of directing up to a dozen more mass killings during the conflict.⁴⁴

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⁴⁴ US Department of State, Annual report on human rights, 20 March 2023, <u>https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/syria/</u>



4 Ethnic and Religious Minorities

4.1 Christians as a Religious Minority

4.1.1 Freedom of Faith

The 2012 Syrian Constitution guarantees the state's protection of all religions "The State shall respect all religions and shall guarantee the freedom to perform all their rites, provided that this does not disturb public order."⁴⁵ The constitution also states that "Citizens are equal in rights and duties, and there is no discrimination between them on grounds of gender, origin, language, religion or creed."

Even though There is no official state religion the constitution states that "Islam is the religion of the President of the republic."⁴⁶, the constitution states that "Islamic jurisprudence shall be a major source of legislation."⁴⁷, and the law prohibits conversion from Islam.⁴⁸

According to Open Doors Christians in Syria still grapple with daily persecution that may become violent, despite the public threat from so-called Islamic State having largely subsided. In areas where Islamic extremist groups are active, any public expression of faith is dangerous. Sharing the gospel is very risky, and church buildings have often been completely destroyed. The abduction of church leaders continues to have a considerably negative impact on Christian communities.⁴⁹

As the Christian population of Syria has diminished due to the civil war, more and more Syrian Christians come from a Muslim background. This makes them additional targets – including from their own family, who may attack or reject converts. A Christian woman who converts while married to a Muslim is likely to face divorce and losing custody of her children, since Sharia (Islamic law) dictates, that rights are given to the Muslim parent.⁵⁰

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⁴⁵The Syrian Constitution, Article 3, 2012, <u>2012</u>, يستور الجمهورية العربية السورية 2012, moia.gov.sy)

⁴⁶ Constitution of the Syrian Arab Republic, Article 3, 2012, <u>2012</u> العربية الع

⁴⁷ Constitution of the Syrian Arab Republic, Article 3, 2012, <u>2012</u> (moia.gov.sy) (moia.gov.sy) (moia.gov.sy) ⁴⁸ US Department of State, Annual report on religious freedom (covering 2022), 15 May 2023, https://www.state.gov/reports/2022-report-on-international-religious-freedom/syria/

⁴⁹ Open Doors, World Watch List Syria 2022, https://www.opendoorsuk.org/persecution/world-watch-list/syria/

⁵⁰ Open Doors, World Watch List Syria 2022, https://www.opendoorsuk.org/persecution/world-watch-list/syria/

4.1.2 Destruction of Worship Places

Between March 2011 and September 2019, the Syrian Network for Human Rights recorded 124 incidents targeting Christian places of worship. Attributing 76 attacks to the regime, extremist Islamic groups, including ISIS, were found accountable for 10 attacks. Hay'at Tahrir Al-Sham (HTS) was identified as responsible for 2 incidents, while other factions within the armed opposition were associated with 33 incidents. Additionally, 4 attacks were attributed to various other entities.⁵¹

Examples of such targeting are:

- Greek Orthodox St. George's Church in Eastern Ghouta on 8 February 2018 Syrian government forces.
- Monastery of St. Elian in Homs governorate on 19 August 2015 ISIL.
- Latin Church on 25 October 2015, St. Joseph Church on 24 April 2016, St. Demetrius Church on 2 July 2016, and Church of the Lady of Transition on 16 September 2016, in Aleppo city – Armed opposition.⁵²

More recent events of targeting Chrisitan places of worship are also evident The Syrian Human Rights Committee reported⁵³ an attack on the 24th of July 2022 on the opening of Ayia Sofia, a Greek Orthodox church in al-Suqaylabiyah, about 30 miles northwest of the city of Hama. SANA, the government press agency, said that one person was killed and 12 injured in the attack. SANA attributed the attack, which occurred in a regime-controlled area, to terrorist organizations.⁵⁴

Targeting Christian Places of Worship in Syria is a Threat to World Heritage en.pdf (snhr.org) ⁵² Syrian Network For Human Rights, The Syrian Regime Bears Primary Responsibility For 61% Of The Targeting Of Christian Places Of Worship In Syria, 5 September 2019,

Targeting Christian Places of Worship in Syria is a Threat to World Heritage en.pdf (snhr.org) ⁵³ Syrian Human Rights Committee, The 21st annual Report on Human Rights in Syria 2022, January 2022-December 2022, <u>https://www.shrc.org/en/wp-content/uploads/2023/01/21st-report_En.pdf</u>



⁵¹ Syrian Network For Human Rights, The Syrian Regime Bears Primary Responsibility For 61% Of The Targeting Of Christian Places Of Worship In Syria, 5 September 2019,

⁵⁴ Syrian Arab News Agency, A civilian martyred, 12 injured in terrorist attack on religious gathering in Suqaylabiyah, Hama,24 July 2022, <u>https://sana.sy/en/?p=278676</u>



- 4.1.3 Persecution of Christians
- 4.1.3.1 Treatment of the Syrian Government

The prolonged Syrian conflict has disproportionately affected the Christian community. They have been targeted by extremist groups, leading to heightened insecurity. Additionally, the Syrian government's actions have at times exacerbated their predicament, placing them in the midst of a sectarian conflict despite their lack of inherent involvement or interest in sectarian tensions.

The constitutional script presents two ideologies one of a religious nature and another of a civil nature, according to article 3 in the Syrian constitution "The religion of the President of the Republic is Islam."⁵⁵ and "Islamic jurisprudence shall be a major source of legislation."⁵⁶The constitution also states that "Citizens are equal in rights and duties, and there is no discrimination between them on grounds of gender, origin, language, religion or creed."⁵⁷

Religious discrimination is apparent in Syrian law. While a Muslim man is allowed to marry a Christian woman, the reverse is not permitted, as a Muslim woman cannot marry a Christian man. Furthermore, even if a Christian woman converts to Islam upon marriage, she is not granted the right to inherit property or wealth from her husband. Additionally, it's important to note that Syrian law prohibits conversion from Islam to Christianity.⁵⁸

According to a report from US Department of State, the regime made efforts to portray itself as a secular guardian of the Christian community. However, human rights organizations documented instances where the regime deliberately demolished churches and arrested many Christian residents. Reports further indicated that the authorities employed sectarianism, including the manipulation of religious sentiments for their own political survival.⁵⁹

⁵⁷ Constitution of the Syrian Arab Republic, Article 33, 2012, 2012, <u>2012 العربية الع</u>

 ⁵⁸ Department of State, Annual report on religious freedom (covering 2022), 15 May 2023, <u>https://www.state.gov/reports/2022-report-on-international-religious-freedom/syria/</u>
Department of State, Annual report on religious freedom (covering 2022), 15 May 2023, <u>https://www.state.gov/reports/2022-report-on-international-religious-freedom/syria/</u>
⁵⁹ Department of State, Annual report on religious freedom (covering 2022), 15 May 2023,

https://www.state.gov/reports/2022-report-on-international-religious-freedom/syria/

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⁵⁵ Constitution of the Syrian Arab Republic, Article 3, 2012, <u>2012 العربية ال</u>

⁵⁶ Constitution of the Syrian Arab Republic, Article 3, 2012, <u>2012</u> <u>ستور الجمهورية العربية السورية 100</u>

The SNHR also documented at least 126 attacks on Christian places of worship by the main parties in Syria, between March 2011 and September 2019 attributing 76 attacks to the regime.⁶⁰

A Syria Direct article⁶¹ stated that Christians living in government-controlled areas have been subject to arbitrary arrests. According to the director of SNHR, Fadel Abdulghani, there have been around 450 arrests of Christians in government-controlled areas since 2014, 28 of which are women. Of those arrested, 165 have been released. The US Department also mentions in its 2023 report that the Syrian government detained numerous Christian citizens⁶² since the Syrian regime does not discriminate between Syrians who oppose it.

The observable decline in the present Christian population residing in Syria serves as a signal of the treatment Christians are undergoing and the Government's inability to protect them. Before the commencement of the war, official estimates from the U.S. government suggested that Christians constituted as high as 10% of the nation's population.⁶³ Nevertheless, following the inception of the conflict, reports from humanitarian organizations and the US Commission on International Religious Freedom indicate that the Christian community has seen a drastic reduction, plummeting from 1.5 million before 2011 to a mere 300,000 by the year 2022 making up less than 3% of the population.⁶⁴

4.1.3.2 Treatment of Christians in areas outside the control of the Syrian government

Throughout the duration of the conflict in Syria, Christians endured various forms of harm inflicted by extremist groups. These groups targeted churches, leading to their destruction, and displaced

⁶⁰ Syrian Network For Human Rights, The Syrian Regime Bears Primary Responsibility For 61% Of The Targeting Of Christian Places Of Worship In Syria, 5 September 2019,

Targeting_Christian_Places_of_Worship_in_Syria_is_a_Threat_to_World_Heritage_en.pdf (snhr.org)

⁶¹ Syria Direct, Syrian Christians: Exploited or protected minority?, 22 December 2019,

https://syriadirect.org/syrian-christians-exploited-or-protected-minority/

⁶² Department of State, Annual report on religious freedom (covering 2022), 15 May 2023,

https://www.state.gov/reports/2022-report-on-international-religious-freedom/syria/

⁶³ Department of State, Annual report on religious freedom (covering 2022), 15 May 2023,

https://www.state.gov/reports/2022-report-on-international-religious-freedom/syria/

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⁶⁴ US Commission on International Religious Freedom, United States Commission on International Religious Freedom Annual Report, May 2023, <u>Annual Reports | USCIRF</u>



Christian communities. Additionally, Christians were denied the ability to freely practice their faith.⁶⁵

According to the US Department of State Throughout 2022, ongoing accounts depicted instances of sectarian violence attributed to escalating tensions between religious factions, cultural differences, and incendiary discourse. It was observed that Christians remained subjected to discrimination and acts of violence perpetrated by radical extremist organizations.⁶⁶

As outlined in a report by the US Commission on International Religious Freedom, Christian communities located in certain areas of Idlib have been gravely impacted, with some facing the threat of extinction due to displacement and fleeing as a result of harassment and attacks from Turkish-Supported Opposition and Hay'at Tahrir Al-Sham. In the remaining villages, those who continue to reside there encounter constraints imposed by Hay'at Tahrir Al-Sham and other militant factions. These constraints encompass limitations on their religious practices and places of worship, seizure of land and other assets, instances of abductions, and even instances of lethal violence.⁶⁷

Media outlets reported that Christians from villages in the Idlib countryside held services on a religious feast day on the 28th of August 2022 at an Armenian Apostolic church, 10 years after the church was closed. According to Al-Monitor⁶⁸, sources reported that HTS forces cordoned off the area and established checkpoints to provide security during the celebration. Former HTS members described the move as part of the HTS leader's attempt to expand his power through the exploitation of religion, while others similarly cited Hay'at Tahrir Al Sham's interest in promoting itself as a (semi-moderate) group. According to the Middle East Media Research Institute⁶⁹, the event sparked harsh criticism of HTS by Syrian-based jihadi clerics, who said that Christians in Syria betrayed Muslims, were not worthy of the protection they received from the Muslim majority and should not be granted freedom of worship in churches.⁷⁰

⁶⁶ Department of State, Annual report on religious freedom (covering 2022), 15 May 2023, <u>https://www.state.gov/reports/2022-report-on-international-religious-freedom/syria/</u>

⁶⁷ US Commission on International Religious Freedom, United States Commission on International Religious Freedom Annual Report, May 2023, <u>Annual Reports | USCIRF</u>

⁶⁸ Al Monitor, Christians in Syria's Idlib hold major Mass, 4 September 2022, <u>https://www.al-monitor.com/originals/2022/09/christians-syrias-idlib-hold-major-mass</u>

⁷⁰ Department of State, Annual report on religious freedom (covering 2022), 15 May 2023,

https://www.state.gov/reports/2022-report-on-international-religious-freedom/syria/



⁶⁵ US Commission on International Religious Freedom, United States Commission on International Religious Freedom Annual Report, May 2023, <u>Annual Reports | USCIRF</u>

⁶⁹ The Middle East Media Research Institute, Syria-Based Jihadi Cleric, Following Reopening Of Church In Idlib Area: The Christians In Syria Betrayed The Muslims, 7 September 2022, <u>https://www.memri.org/jttm/syria-based-jihadi-cleric-following-reopening-church-idlib-area-christians-syria-betrayed</u>

However, human rights organizations consistently recorded instances where Hay'at Tahrir Al-Sham (HTS) was involved in violations against diverse religious and ethnic minority groups. These actions encompassed practices such as taking control of properties belonging to displaced Christians. According to the report from the US Department of State, HTS managed to establish a firm hold on the everyday lives of the local population. This control extended to detaining individuals over comments made in private conversations, whether they pertained to the cost of living or religious topics. This latter aspect resulted in some cases in a one-year imprisonment term under charges of blasphemy. The report also emphasized that the entity tasked with enforcing HTS' regulations concerning social conduct and clothing continued to apprehend women for what the group considered (inappropriate) attire. Additionally, these authorities persisted in taking action against those who didn't adhere to restrictions on entertainment activities.⁷¹

In June of 2022, a local media source revealed that Turkey's expressed intention to initiate a military operation in northern Syria had instilled fear among Christians, prompting them to leave the region due to concerns of potential massacres and ill-treatment by the Syrian National Army (SNA). A resident of Aleppo shared that the Christian population in the city, which was around 12% before the conflict began, had drastically dwindled to just 1%.

Human rights organizations and documentation-gathering groups reported that Yezidis and other residents, particularly in Kurdish areas, were often victims of Turkish-supported Syrian armed opposition group (TSO) abuses. Reports also indicated that the small number of Christians remaining in Aleppo were very concerned about possible attacks by TSOs.⁷²

In the Kurdish-controlled Self Administration of North and East Syria (SANES) Christians and other religious groups were able to openly express and exercise their religious beliefs, including converting to other religions. The only reported point of dispute about the Christians was the school curriculum, which resulted in the closure of Christian schools after they refused to teach courses according to the Kurdish curriculum.⁷³

A November article⁷⁴ on the Assyrian Journal website reported that a Christian school in Hasakah, in the Kurdish-controlled Self Administration of North and East Syria (SANES), received a letter



⁷¹ Department of State, Annual report on religious freedom (covering 2022), 15 May 2023,

https://www.state.gov/reports/2022-report-on-international-religious-freedom/syria/

⁷² Department of State, Annual report on religious freedom (covering 2022), 15 May 2023,

https://www.state.gov/reports/2022-report-on-international-religious-freedom/syria/

⁷³The European Union Agency for Asylum, Syria: Targeting of Individuals, September 2022,

https://www.ecoi.net/en/file/local/2078321/2022_09_EUAA_COI_Report_Syria_Targeting_of_individuals.pdf ⁷⁴ The Assyrian Journal, Christian schools in northeast Syria ordered to teach self-administration curriculum or face closure, November 2022, <u>https://theassyrianjournal.com/2022/11/08/christian-schools-in-northeast-syria-ordered-to-teach-self-administration-curriculum-or-face-closure/</u>

from SANES officials instructing the school that it must stop teaching the regime's curriculum and begin teaching the SANES curriculum or face closure. According to a Syriac Orthodox bishop quoted in the same article, 23 Christian-led schools in northeast Syria, 500 staff, and 20,000 students (Arab, Kurdish, and Syriac) were affected by this ruling. The SANES ruling was issued to private schools in areas under its control, including nonreligious schools, although most private schools in the area were Christian. The issue is one component of a larger education debate related to accreditation issues and the use of the SANES-developed curriculum instead of the accredited Assad regime curriculum.⁷⁵

4.2 The Situation of Kurds

4.2.1 Freedom of Expression

Even though the Syrian constitutions states that "The constitution guarantees the protection of the cultural diversity of Syrian society in all its components and the multiplicity of its tributaries. It is recognized as a national heritage that promotes national unity within the framework of the territorial integrity of the Syrian Arab Republic". ⁷⁶

Historically, this has not been the case for the Kurds in Syria, Kurds encounter difficulties in obtaining licenses for celebrating cultural events like Norouz, the Kurdish New Year, in March 2008, Syrian security forces opened fire on Kurds participating in Norouz celebrations, resulting in casualties, but the government failed to launch a formal investigation.⁷⁷

According to the Human Rights Council in 2021, Security forces frequently arrest Kurdish people for teaching the Kurdish language privately and sentence others to long-term imprisonment over charges such as perturbing the nation's concord and attempting to annex a Syrian territory to a foreign country⁷⁸

⁷⁶The Syrian Constitution, Article 9, 2012, <u>2012</u> <u>ستور الجمهورية العربية السورية (moia.gov.sy)</u>

https://digitallibrary.un.org/record/3949805/files/A_HRC_WG.6_40_SYR_3-EN.pdf



⁷⁵ Department of State, Annual report on religious freedom (covering 2022), 15 May 2023, <u>https://www.state.gov/reports/2022-report-on-international-religious-freedom/syria/</u>

 ⁷⁷ The United States Institute of Peace, Special Report 220, April 2009, <u>SR 220 KurdsNSyria_Mar26.indd (usip.org)</u>
⁷⁸ 7 UN Human Rights Council, Summary of Stakeholders' submissions on Syrian Arab Republic, A/HRC/WG.6/40/SYR/3, 1 November 2021,

4.2.2 Restrictions on Kurdish identity

Reports on human rights that are prior to the conflict in Syria, indicate that the Kurdish population in Syria consistently experienced a sense of exclusion regarding their identity. The Syrian government consistently attempted to assert its authority by denying them their rights and the ability to practice their cultural traditions. According to special report from the United States Institute of Peace in 2009, The disenfranchisement of the rights of Syrian Kurds can be traced to 1958, with Syria's official adoption of Arab nationalism and backlash against non-Arab ethnic minorities, which included the Kurds.⁷⁹

Since the early 1990s, the Syrian government has imposed restrictions on Kurdish identity. Kurdish parents have been prohibited from officially registering their children with Kurdish names, although Kurdish persistence has sometimes led to government concessions. However, publishing in Kurdish remains restricted, forcing Kurds to rely on publications brought illegally from Lebanon or Iran or printed clandestinely. This limitation on freedom of expression affects all Syrian citizens, not just Kurds.⁸⁰

Recent reports signal that the government's approach hasn't changed, according to the US Department of State report in 2023, the government consistently imposed constraints on individuals belonging to ethnic minorities, stopping their ability to engage in traditional, religious, and cultural pursuits. Moreover, it persisted in placing restrictions on the utilization of the Kurdish language, prohibiting the publication of books and other materials in Kurdish, as well as suppressing expressions of Kurdish culture.⁸¹

Kurds experienced a lack of political representation, poor economic development, and reduced social services. Important elements of Kurdish cultural identity, such as language, music, and publications, were banned. Political parties were forbidden and their members were incarcerated. The Syrian government also began to replace the names of Kurdish villages and sites with Arabic ones.⁸²

https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/syria/



 ⁷⁹ The United States Institute of Peace, Special Report 220, April 2009, <u>SR 220 KurdsNSyria_Mar26.indd (usip.org)</u>
⁸⁰ The United States Institute of Peace, Special Report 220, April 2009, <u>SR 220 KurdsNSyria_Mar26.indd (usip.org)</u>
⁸¹ US Department of State, Annual report on human rights in 2022, 20 March 2023,

⁸² The United States Institute of Peace, Special Report 220, April 2009, <u>SR 220 KurdsNSyria_Mar26.indd (usip.org)</u>

4.2.3 Stateless Kurds

In 1962 the Syrian Government conducted a census under Decree No. 93, amid the backdrop of pan-Arab nationalism, Syrian authorities carried out a widely criticized census in the northeastern region of Syria. The reasoning presented by these authorities to justify the census revolved around their claim that Kurds had entered Syria unlawfully from Turkey during the 1920s and 1930s. This was in light of their concerns about the influence of a Kurdish uprising occurring in Iraq at the time. As an outcome of this single-day census, approximately 120,000 Syrian Kurds (equating to roughly 20% of the Syrian Kurdish populace) had their nationality revoked overnight. They were then categorized into two distinct groups: Ajanib⁸³ (foreigners) and Maktumeen⁸⁴ (concealed, which were not included in the registries).⁸⁵

The Ajanib were issued a Bitaqat Ajnabi (Red Card) identity document, which records the individual as a 'foreigner.' It is not valid for travel outside Syria and is issued by the Civil Registrar (Ministry of Interior). In addition, Ajanib Kurds were issued a Family Civil Extract (the equivalent of a Family Booklet for Syrian citizens).

The Maktumeen, however, could not obtain official government documents and often have only a note from their local mayor (referred to as a Mokhtar) to establish their identity. This document, referred to as a Shahadat Taaref (Identification Certificate), cannot be used for formal identification, as it contains no validation from higher authorities. Even those documents which are stamped by higher authorities are not included in the records in Damascus, so they are still useless.⁸⁶

content/uploads/StatelessJourneys-Syria-August-2019.pdf



⁸³ Ajnabi Literally 'Foreigner' in Arabic; ajanib al-Hassaka are a category of stateless Kurds from Hassaka Governorate in north-eastern Syria who are included in the official registries, but have been deprived of many rights

⁸⁴ Maktum Literally meaning 'Concealed'; maktumeen al-qaid are stateless Kurds from Hassaka who are not included in the registries and enjoyed even less rights than the ajanib

 ⁸⁵ Stateless Journeys, Statelessness in Syria, August 2019, <u>https://statelessjourneys.org/wp-content/uploads/StatelessJourneys-Syria-August-2019.pdf</u>
⁸⁶ Stateless Journeys, Statelessness in Syria, August 2019, <u>https://statelessjourneys.org/wp-</u>

4.2.4 Treatment of Kurds by the Syrian government

The Syrian government tried to address the situation of statelessness Through Decree No. 49 of 2011⁸⁷, certain reforms were instituted that enabled a portion of Ajanib Kurds to regain Syrian nationality. However, these changes fell short of fully resolving the issue of statelessness within the country. This was due to limitations that resulted in the exclusion of numerous Ajanib, the entire Maktumeen group, all stateless individuals residing outside the nation's borders, as well as all Palestinian refugees originating from Syria.⁸⁸

Even though a reduction of statelessness among the Ajanib was achieved through the adoption of Decree No. 49, the situation of the Maktoumeen is yet to be addressed. In this regard, it is notable that Article $3(d)^{89}$ of Syria's Nationality Law confers citizenship to anyone born on the territory who did not acquire another nationality at birth. Under this provision, therefore, children born in Syria to Maktoumeen should be entitled to Syrian citizenship. At present, however, such children are not regarded as Syrian nationals, signaling the need for further measures to resolve their situation, which may include a more comprehensive application of Article 3(d) of Syria's Nationality Law.⁹⁰

Both statuses are inherited, so children born into these families continue to be born stateless today This inheritance of statelessness also discriminates based on gender: if a child is born to a Syrian mother and stateless father, the child is stateless; but a child born to a Syrian father and a stateless mother will be eligible for Syrian nationality.⁹¹

Stateless Kurds, due to the lack of citizenship and identity documents, faced numerous restrictions, such as limited access to education, healthcare, livelihoods, freedom of movement, property

- http://www.parliament.gov.sy/arabic/index.php?node=201&nid=4451&ref=tree 88 Stateless Journeys, Statelessness in Syria, August 2019, https://statelessjourneys.org/wp-
- content/uploads/StatelessJourneys-Syria-August-2019.pdf

⁸⁹The Syrian Government, Legislative Decree 276 of 1969, 24 November 1969,

http://www.parliament.gov.sy/arabic/index.php?node=201&nid=8182&ref=tree&



⁸⁷ President Bashar Al-Assad, Legislative Decree 49 of 2011, 7 April 2011,

⁹⁰ UN High Commissioner for Refugees (UNHCR), Submission by the United Nations High Commissioner for Refugees For the Office of the High Commissioner for Human Rights' Compilation Report Universal Periodic Review: Syrian Arab Republic, March 2016, <u>https://www.refworld.org/docid/57f504b24.html [accessed 15 August 2023]</u>

⁹¹ Stateless Journeys, Statelessness in Syria, August 2019, <u>https://statelessjourneys.org/wp-content/uploads/StatelessJourneys-Syria-August-2019.pdf</u>

ownership, participation in the judicial and political systems, registration of businesses, marriages, and children.⁹²

The discriminatory treatment is still evident even within the Syrian constitution. The preamble of the Syrian constitution highlights that "The Syrian Arab Republic takes pride in its Arab identity, with its citizens being an essential component of the Arab nation. This sense of belonging is reflected in the country's national goals and projects, as well as in its efforts to foster Arab collaboration, aiming to enhance cohesion and realize the Arab nation's unity."⁹³

The preamble of the 2012 constitution asserts the Syrian Arab Republic's pride in its Arab identity, overlooks the distinct ethnicity of the Kurds and thus perpetuates a form of discrimination. Furthermore, the Kurdish community possesses its distinct language, Kurdish, which the Syrian constitution fails to acknowledge. This is highlighted by the constitution that "Arabic is the official language of the nation."⁹⁴

According to the Human Rights Council in 2021, Security forces frequently arrest Kurdish people for teaching the Kurdish language privately and sentence others to long-term imprisonment over charges such as perturbing the nation's concord and attempting to annex a Syrian territory to a foreign country⁹⁵

According to the US Department of State stateless Kurds were ineligible to receive a degree documenting their academic achievement. The regime continued to limit the teaching of the Kurdish language, Stateless Kurds do not have the right to inherit or bequeath assets, and their lack of citizenship or identity documents restricted their travel to and from the country.⁹⁶

On March 13, 2022, Syrian government checkpoints began restricting the flow of essential food items into the predominantly Kurdish neighborhoods of Sheikh Maqsoud and Ashrafiyye in Aleppo. These neighborhoods are administered by a local council affiliated with the Autonomous Administration, which governs extensive areas in northern and eastern Syria.



 ⁹² European Union Agency for Asylum, Country Guidance: Syria, February 2023, <u>https://euaa.europa.eu/country-guidance-syria-2023/4102-kurds</u>
⁹³ Constitution of the Syrian Arab Republic, As stated in the introduction of the constitution, 2012, <u>curricy lifenergy</u>

⁹³ Constitution of the Syrian Arab Republic, As stated in the introduction of the constitution, 2012, <u>دستور الجمهورية</u> 2012 (moia.gov.sy) العربية السورية 2012

⁹⁴ Constitution of the Syrian Arab Republic, Article 4, 2012, <u>2012</u> العربية العربية السورية (moia.gov.sy)

⁹⁵ 7 UN Human Rights Council, Summary of Stakeholders' submissions on Syrian Arab Republic, A/HRC/WG.6/40/SYR/3, 1 November 2021,

https://digitallibrary.un.org/record/3949805/files/A_HRC_WG.6_40_SYR_3-EN.pdf

⁹⁶ US Department of State, annual report on human rights ,20 March 2023<u>SYRIA 2022 HUMAN RIGHTS</u> <u>REPORT (state.gov)</u>

By early April, this restriction escalated into a complete ban on the entry of basic food supplies, particularly flour. Syrians for Truth and Justice (STJ) interviewed a resident of Sheikh Maqsoud who reported that military checkpoints controlled by the Syrian army were obstructing the delivery of essential goods to these Kurdish neighborhoods in Aleppo.⁹⁷

On April 10, the Internal Security Forces (Asayish) of the Autonomous Administration implemented "security measures" in areas controlled by the Government of Syria in Qamishli. This action was taken in response to Syrian government forces preventing the delivery of flour, fuel, and medical aid to Sheikh Maqsoud and Ashrafiyeh neighborhoods in Aleppo.⁹⁸

4.2.5 Treatment of Kurds in Areas outside the control of the Syrian Government

4.2.5.1 Operation Olive Branch

During the third Tabqa conference on July 16, 2018, the Syrian Democratic Council (SDC) decided to establish an autonomous administration in North-East Syria (NES). A preparatory committee formed at the event initiated the creation of AANES. The AANES General Council, consisting of 70 members, was announced on September 6, 2018, in Ain Issa. This event was attended by representatives from seven administrations: Al-Jazira, Euphrates, Afrin, Manbij, Al-Tabqa, Raqqa, and Deir Al-Zor.⁹⁹

In January 2018, Recep Tayyip Erdogan, the President of Turkey, declared the initiation of military campaigns within Afrin, a predominantly Kurdish area situated in the northwestern part of Syria. This region was initially one of the core areas forming the Kurdish-led Autonomous Administration of North and East Syria. While this military intervention, known as Operation Olive Branch, was initiated under the pretext of counteracting terrorism and establishing a secure region adjacent to Turkey's borders, it was accompanied by verbal assurances of restoring Afrin

https://impactres.org/reports/PolicyPapers/Structure_and_resource_mapping_of_autonmous_administration_EN.pdf



⁹⁷ Syrians for truth and Justice, Aleppo: The Syrian Government Denies Basic Foodstuffs to Kurdish Neighborhoods, April 12, 2022, <u>https://stj-sy.org/en/aleppo-the-syrian-government-denies-basic-foodstuffs-to-kurdish-neighborhoods/</u>

⁹⁸ Center for operational analysis and research, SDF Imposes Siege on Government of Syria Enclaves in Response to Siege of Sheikh Maqsoud, 18 April 2022, <u>https://coar-global.org/2022/04/18/sdf-imposes-siege-on-government-of-syria-enclaves-in-response-to-siege-of-sheikh-maqsoud/</u>

⁹⁹IMPACT- Civil Society Research and Development, The Autonomous Administration of North and East Syria Framework and Resources Background Paper, October 2019,

to its rightful proprietors. This language implied that the invasion was potentially a precursor to demographic alterations in the area.¹⁰⁰

4.2.5.2 Deportations

In 2018, after the Turkish military conducted Operation Olive Branch, the demographic makeup of Afrin underwent a substantial transformation. Previously, Kurds comprised 96 percent of the local population, but their representation has now dwindled to just 25 percent, as per reports from 2021. ¹⁰¹ This shift was a consequence of Turkey's effort to occupy the homes abandoned by displaced Kurdish inhabitants due to the conflict. This involved settling numerous families of fighters and other individuals of Arab and Turkmen origins in the area.¹⁰²

According to the US Department of State, the Armed groups reportedly forcibly displaced individuals from their residences and confiscated properties. In Afrin City, SNA factions occupied homes, schools, shops, and factories, particularly affecting displaced owners. Instances of looting, pillaging, occupation, and property seizure, often through levies, persisted, especially during olive harvest season. Reports from NGOs indicated that SNA fighters coerced primarily Kurdish residents to vacate their homes using threats of extortion, abduction, and torture.¹⁰³

A June STJ report highlighted demographic manipulation, notably favoring SNA fighters and their families in housing allocations, leading to discriminatory distribution of aid that hindered civilians from fulfilling basic needs.¹⁰⁴

¹⁰¹ Kurdistan24, Kurds becoming a minority in the Kurdish region of Afrin: Statement, 30 June 2021, <u>Kurds</u> becoming a minority in Kurdish region of Afrin: Statement (kurdistan24.net)

¹⁰² ACAPS, Syria. Humanitarian Needs in Afrin, 3 March 2021,

20200302 acaps short note syria huamitarian needs in afrin.pdf

¹⁰³ US Department of State, Annual report on human rights in 2022, 20 March
2023,<u>https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/syria/</u>
¹⁰⁴ Syrians for Truth and Justice, Housing Settlements in Afrin: Demographic Engineering or IDP
Housing Projects?, 8 June 2022, <u>Housing Settlements in Afrin: Demographic Engineering or IDP Housing</u>
<u>Projects? - Syrians for Truth and Justice (stj-sy.org)</u>



¹⁰⁰ Ceasefire Center for Civilian Rights and YASA, Cultivating Chaos: Afrin after Operation Olive Branch, July 2020, <u>CFR Syria EN July20.qxp CF (ceasefire.org)</u>

4.2.5.3 Torture and Detainment

According to a report from the US Department of State, armed Syrian opposition factions backed by Turkey in the northern part of the nation allegedly engaged in various violations. These actions purportedly encompassed the deliberate mistreatment of Kurdish and Yezidi inhabitants, along with other civilians. The reported transgressions included instances of extrajudicial executions, unjustifiable detention leading to disappearances, physical assaults, sexual abuse, compelled displacement from residences, appropriation of personal belongings, confiscation of private property, unauthorized transfer of detained civilians across the Turkish border, enlistment and deployment of underage combatants, and the plundering as well as desecration of religious sites.¹⁰⁵

According to the Human Rights Council, the Syrian National Army (SNA) brigades and SNA military police maintained a pattern of arrests and detentions. Those of Kurdish origin who were apprehended frequently underwent interrogations related to their suspected affiliations with the Kurdish People's Protection Units or Syria's Democratic Forces (SDF). A substantial number seemed to have been taken into custody while attempting to cross into Turkey. These detainees were moved among various SNA brigades, denied access to legal representation, and presented before military tribunals. Although some were later acquitted, their release often depended on a payment to members of the SNA military police.¹⁰⁶

Victims consistently recounted dire detention conditions, including overcrowding and limited access to essentials like food, medicine, and sanitation facilities. Two individuals mentioned being subjected to beatings when requesting medical assistance or hygiene items. Survivors also revealed instances of children being held in various facilities and forced to perform tasks like cleaning, dishwashing, and food distribution.¹⁰⁷

In one account, a Kurdish man detained in a makeshift facility under the Hamzah Division endured beatings with cables, starvation, and cleaning duties. He was later transferred to Ra's al-Ayn military police custody, where he faced further abuse, including hanging from the ceiling by his

2023,<u>https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/syria/</u>¹⁰⁶ Human Rights Council, Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, 27 February–31 March 2023, <u>Report of the Commission of Inquiry on Syrian Arab Republic to the 52nd regular</u> session of the Human Rights Council | OHCHR

¹⁰⁷ Human Rights Council, Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, 27 February–31 March 2023, <u>Report of the Commission of Inquiry on Syrian Arab Republic to the 52nd regular</u> session of the Human Rights Council | OHCHR



¹⁰⁵ US Department of State, Annual report on human rights in 2022, 20 March

arms and confinement in a tire. Despite being cleared of charges, he remained in custody until his family paid court fees and a release sum.¹⁰⁸

Another Kurdish survivor experienced mistreatment upon arrival at the Hawar Killis prison, including beatings, toenail extraction, and threats of rape, likely by members of the Sultan Murad Division. During his interrogation, a Turkish official was involved, and he was subjected to extended solitary confinement and deprivation of sustenance. His release followed a payment facilitated by an intermediary with ties to the SNA.¹⁰⁹

Survivors recounted instances of detainees being held by the SNA for extended periods without communication with their families, sometimes lasting years. Some were seemingly apprehended for financial extortion and released only upon payment to SNA members. Instances of payment for release were also reported, such as a father paying for his two sons' freedom and a Kurdish boy's mother negotiating a reduced amount for her son's release with an SNA military police member in Raju.¹¹⁰

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¹⁰⁸ Human Rights Council, Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, 27 February–31 March 2023, <u>Report of the Commission of Inquiry on Syrian Arab Republic to the 52nd regular</u> session of the Human Rights Council | OHCHR

¹⁰⁹ Human Rights Council, Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, 27 February–31 March 2023, <u>Report of the Commission of Inquiry on Syrian Arab Republic to the 52nd regular</u> session of the Human Rights Council | OHCHR

¹¹⁰ Human Rights Council, Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, 27 February–31 March 2023, <u>Report of the Commission of Inquiry on Syrian Arab Republic to the 52nd regular</u> session of the Human Rights Council | OHCHR



5 Conclusions

5.1 Christians

- **Extinction of Christian Communities**: In regions controlled by extremist groups, Christian communities have faced severe persecution and have nearly become extinct. This highlights the devastating impact of extremist ideologies on religious minority populations.
- **Religious Persecution**: Christians are targeted for persecution based on their religious background, particularly by extremist groups and those with Islamist ideologies. This religious persecution has resulted in violence, displacement, and discrimination against Christians.
- **Discrimination in Government-Controlled Areas**: Even in government-controlled areas, Christians continue to face discrimination and, at times, persecution. The government's inability or unwillingness to provide adequate protection for religious minorities has created a situation where Christians are vulnerable to various forms of mistreatment.
- **Manipulation of Protector Role**: The government's claim of being a protector of religious minorities is often used as a political card, but the reality on the ground doesn't always reflect this claim. This manipulation has further exacerbated the challenges faced by Christian communities.

5.2 Kurds

- Long-standing Oppression by Syrian Government: The Syrian government has a history of oppressing the Kurdish identity, which serves as clear evidence of discrimination and persecution against the Kurdish community. This oppression has included restrictions on cultural and linguistic rights, as well as the denial of citizenship to stateless Kurds.
- Statelessness and Lack of Basic Rights: Stateless Kurds in Syria have been deprived of basic rights, such as access to education, healthcare, and employment. The government has not taken substantial steps to address this situation or provide citizenship to stateless Kurds, leaving them marginalized and vulnerable.
- **Persecution by Extremist Groups**: Kurds have also faced persecution by Islamic radical groups operating in Syria. These groups have targeted Kurdish communities, resulting in violence, displacement, and human rights abuses.
- **Discrimination from Pan-Arab Ideologies**: Pan-Arab ideologies in the region have often failed to acknowledge the cultural and ethnic diversity of the population, including the Kurdish identity. This has led to discrimination against Kurds and a lack of recognition of their distinct cultural and linguistic heritage.

